UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION JIAN WU, Case No. 5:13-cv-00188-PSG Plaintiff, **JURY VERDICT FORM** v. ENTERPRISE LEASING COMPANY OF ORLANDO LLC, Defendant.

N	eg	lig	<u>ence</u>

We an	swer the quest	tions submitted	l to us as follov	ws:			
		easing Compa an on Septem	any of Orland ber 10, 2011?	o, LLC s	upply, insp	ect, or rent t	he 2011
	Yes	No					
If your	r answer to que ons on this pag	estion 1 is yes, ge and go to pa	then answer q ge 3 (Negliger	uestion 2 nt Failure	. If you ans to Warn).	wered no, ans	swer no more
			oany of Orland Yuan on Sept			ı supplying, i	inspecting, or
	Yes	No					
			then answer q ge 3 (Negliger			wered no, ans	swer no more
	s Enterprise l ng harm to M		oany of Orland	do, LLC'	s negligenc	e a substanti	al factor in
	Yes	No					
			then answer que 3 (Negliger			wered no, ans	swer no more
4. Wa	s Mr. Wu neg	gligent?					
	Yes	No					
and in	sert the numbe		then answer q Enterprise Leas ne.				
5. Wa	s Mr. Wu's n	egligence a su	bstantial facto	or in caus	sing his har	m?	
	Yes	No					
and in	sert the numbe		then answer q Enterprise Leas ne.				
6. Wł	ıat percentag	e of responsib	ility for Mr. V	Vu's har	m do you as	ssign to:	
Enter	prise Leasing (Company of O	rlando, LLC:		_%		
			JIAN WU:		_%		
			TOTAL:	100 %			
Go to	page 3 (Negliş	gent Failure to	Warn).				
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Negligent Failure to Warn

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2	We answer the questions submitted to us as follows:					
3	1. Did Enterprise Leasing Company of Orlando, LLC distribute the 2011 Malibu?					
4	Yes No					
5	If you answer to question 1 is yes, then answer question 2. If you answered no, answer no more questions on this page and go to page 4 (Negligent Infliction of Emotional Distress).					
6	2. Did Enterprise Leasing Company of Orlando, LLC know or should reasonably have					
7	known that the 2011 Malibu was dangerous or was likely to be dangerous when used or misused in a reasonably foreseeable manner?					
8	Yes No					
9 10	If your answer to question 2 is yes, then answer question 3. If you answered no, answer no more questions on this page and go to page 4 (Negligent Infliction of Emotional Distress).					
11	3. Did Enterprise Leasing Company of Orlando, LLC know or should it reasonably have known that users would not realize the danger?					
12	Yes No					
13	If your answer to question 3 is yes, then answer question 4. If you answered no, answer no more					
14	questions on this page and go to page 4 (Negligent Infliction of Emotional Distress).					
15	4. Did Enterprise Leasing Company of Orlando, LLC fail to adequately warn of the danger on instruct on the safe use of the 2011 Malibu?					
16	Yes No					
17 18	If your answer to question 4 is yes, then answer question 5. If you answered no, answer no more questions on this page and go to page 4 (Negligent Infliction of Emotional Distress).					
19	5. Would a reasonable distributor under the same or similar circumstances have warned of the danger or instructed on the safe use of the 2011 Malibu.					
20	Yes No					
21	If your answer to question 5 is yes, then answer question 6. If you answered no, answer no more					
22	questions on this page and go to page 4 (Negligent Infliction of Emotional Distress).					
23	6. Was Enterprise Leasing Company of Orlando, LLC's failure to warn a substantial factor in causing harm to Mr. Wu?					
24	Yes No					
25						
26						
27						
28	Go to page 4 (Negligent Infliction of Emotional Distress).					
	Good No. 5:12 ov 00199 DCC					

JURY VERDICT FORM

Negligent Infliction of Emotional Distress

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2	We answer the questions submitted to us as follows:
3	1. Was Enterprise Leasing Company of Orlando, LLC negligent?
4	Yes No
5	If your answer to question 1 is yes, then answer question 2. If you answered no, answer no more questions on this page and go to page 5 (Damages).
6	2. Did Mr. Wu suffer serious emotional distress?
7	Yes No
8	If your answer to question 2 is yes, then answer question 3. If you answered no, answer no more questions on this page and go to page 5 (Damages).
10	3. Was Enterprise Leasing Company of Orlando, LLC's negligence a substantial factor in causing Mr. Wu's serious emotional distress?
11	Yes No
12 13	If your answer to question 3 is yes, then answer question 4. If you answered no, answer no more questions on this page and go to page 5 (Damages).
14	4. Was Mr. Wu negligent?
	Yes No
15 16	If your answer to question 4 is yes, then answer question 5. If you answered no, go to question 6 and insert the number 100 next to Enterprise Leasing Company of Orlando, LLC's name and the number zero next to Mr. Wu's name.
17	5. Was Mr. Wu's negligence a substantial factor in causing his harm?
18	Yes No
19 20	If your answer to question 5 is yes, then answer question 6. If you answered no, go to question 6 and insert the number 100 next to Enterprise Leasing Company of Orlando, LLC's name and the number zero next to Mr. Wu's name.
21	6. What percentage of responsibility for Mr. Wu's harm do you assign to:
22	Enterprise Leasing Company of Orlando, LLC:%
23	JIAN WU:%
24	
2526	TOTAL: 100 %
27	
28	Go to page 5 (Damages).
	4
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Damages If you answered yes to question 3 on page 2, yes to question 6 on page 3, OR yes to question 3 on page 4, complete this page. If not, go to page 6 (Signature of Presiding Juror). What are Mr. Wu's total damages? Do not reduce the damages based on the fault, if any, of Mr. Wu. a. Past economic loss (1) Medical expenses \$_____ (2) Other past economic loss Total Past Economic Damages: b. Future economic loss (1) Medical expenses (2) Other future economic loss Total Future Economic Damages: c. Past noneconomic loss, including physical pain/mental suffering: d. Future noneconomic loss, including physical pain/mental suffering: \$_____ TOTAL \$ _____

Go to page 6 (Signature of Presiding Juror).

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United States District Court For the Northern District of California

Signature of Presiding Juror

Signed: Presiding Juror

Dated: _____